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Summary of Stakeholders' submissions on Saudi Arabia*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 31 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations[2] and cooperation with international human rights mechanisms and bodies[3]

2. JS11 recommended ratifying human rights instruments to which it is not yet a party.[4] Alkamara, AOHR, FLD, ICTUR, MPV, RWB, SRW, JS5, and JS9 recommended ratifying ICCPR[5] and MPV and JS9 recommended ratifying the two optional protocols to ICCPR[6]. ICTUR, SRW and FLD recommended ratifying ICESCR.[7] Alkamara, ODVV and SRW recommended ratifying ICPPED[8] and Alkamara and SRW recommended ratifying OP-CAT.[9] ICTUR, ODVV and JS5 recommended ratifying ICRMW.[10] ICTUR, JS5, CMA and HRW recommended ratifying ILO Convention No. 189[11], while ICTUR and JS8 recommended ratifying ILO Conventions No. 87 and 98[12] ICTUR recommended ratifying ILO Conventions No. 97 and 143[13] and JS8 recommended ratifying ILO Protocol on Convention No. 29.[14] ODVV recommended ratifying OP-ICESCR-OP, OP-CEDAW, OP-CRC-IC, 1951 Refugee Convention, Arts. 20 and 22 of CAT.[15] JS5 and HRW recommended ratifying the Protocol of 2014 to the ILO Forced Labour Convention and JS5 recommended ratifying UN TIP Protocol and individual complaints procedure under the ICCPR, ICERD, CAT and CEDAW.[16] JS3 recommended ratifying 1954 and 1961 Statelessness Conventions[17] and ICAN recommended ratifying UN Treaty on the Prohibition of Nuclear Weapons.[18]

* The present document was not edited before being sent to United Nations translation services.

3. JS1, JS2, JS6 and Alkarama noted that despite having accepted recommendations to extend a standing invitation to all Special Procedures mandate holders and to accept all the requests for country visits, since the last UPR, Saudi Arabia has only accepted the visit requests of two Rapporteurs[19] in 2017. Saudi Arabia has 13 pending requests for country visits, some dating back as far as 2004. Among others, Saudi Arabia has accepted the request for a visit of the SR on the situation of human rights defenders in 2015, but failed to set a date, indefinitely postponing the visit. They recommended extending a standing invitation to all UN Special Procedure mandate holders and accept all pending requests for country visits.[20]

B. National human rights framework[21]

4. ALQST noted that the Kingdom does not have a constitution that establishes an institutional human rights protection framework. Several legal statutes are imprecisely defined.[22] ECLJ noted the basic governmental structure and governing principles is illustrated in the Basic Law, which stated that "its constitution is the Book of Allah (the Quran) and the Sunna (Traditions) of His Prophet". The judiciary is functionally independent, but the king appoints its high-ranking members. While the Basic Law mandates that governance shall be based on the principles of "justice, Shura (consultation), and equality", these concepts are interpreted "according to Islamic Sharia". ECLJ noted that much of Saudi Arabia's law remained uncodified and unpublished, which allows the courts to apply Islamic law, urging Saudi Arabia to begin to codify the remaining uncodified laws.[23]

5. HRW and Alkarama noted that during the last UPR, KSA committed itself to bringing its criminal system in line with international standards; however, no measure was taken to this end. While KSA amended the Code of Criminal Procedure (CCP) in 2013, it did not uphold due process guarantees. They recommended adopting a written penal code and amending the CCP to comply with international human rights law.[24]

6. Alkarama noted that despite accepting a recommendation during last UPR to establish a National Human Rights Institution (NHRI), no measure has been taken to this end. The Human Rights Commission –the kingdom's official human rights institution– could not be considered as independent from the executive as it reported directly to the king, who appoints its members. Alkarama recommended establishing an independent NHRI in accordance with the Paris Principles.[25]

7. Alkarama recommended setting up mechanisms to monitor the implementation of relevant recommendations issued by Treaty Bodies.[26]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Human rights and counter-terrorism[27]

8. AI welcomed the visit of the Special Rapporteur on counter-terrorism, in line with KSA accepted recommendations in its previous UPR.[28] Alkarama, ALQST, FLD, HRW, RWB, JS1, JS6, JS9 and JS11 noted that fundamental rights and freedoms are systematically violated under the pretext of combatting terrorism. The 2014 Anti-Terrorism Law contained a vague definition of terrorism, criminalized non-violent acts and failed to uphold due process guarantees. In 2017, a new counter-terror law replaced the 2013/4 law and it shared many similarities with its predecessor, specially an overly broad definition of terrorism, allowing authorities to classify peaceful dissent and participation in peaceful assemblies and protests as terrorism. The Specialized Criminal Court (SCC) is Saudi Arabia's counter-terror court system set up in 2008 to try terrorists, but it has increasingly been used to try human rights defenders (HRDs) and activists. They recommended amending the law and other legislation such as the Anti-Cybercrime Law, the Associations Law, Press and Publications Law and other laws and regulations, to remove provisions that

criminalize peaceful speech or crimes that do not resemble crimes of terrorism and bring criminal procedures for terrorism crimes in compliance with international human rights law.[29]

2. Civil and political rights

Right to life, liberty and security of person[30]

9. AI, HRW, Alkarama, JS1, JS5 and JS10 stated that death penalty has been used increasingly over the past five years with the number of executions per year reaching in 2015 (158 executions), twice as many in 2013 (79 executions). Death penalty is pronounced for a large number of crimes, including non-violent offences as drug crimes and adultery. The authorities generally fail to abide by international standards for fair trial and safeguards for defendants in capital cases. They recommended KSA to declare an official moratorium on all executions; amend legislation to limit its application to the most serious crimes; prohibit the execution of minors and review the cases of all prisoners currently under a death sentence with the aim of commuting their sentences.[31] JS10 informed that in all cases of executions since 2016 involving SCC decisions against protesters and political opponents, no prior notification was given to the families, than an execution was to be carried out.[32] JS5 was concerned that migrant workers and foreign nationals continue to be disproportionately targeted in Saudi Arabia's application of death penalty. Since 2014, 37% of persons executed were foreign nationals and the majority of them for drug offences. JS5 recommended reviewing narcotics legislation with a view of abolishing death penalty for drug offences and immediately commute death sentences related to these offences.[33]

10. AI, Alkarama, CRIN, JS1 and JS9 noted that the government sentenced members of the Shia minority to death on terror charges stemming from participation in peaceful assemblies and protests, including minors. There are currently at least 42 men, mostly Shia, on death row, seven of them were minors at the time they allegedly committed their crimes, including Ali al-Nimr (who is the nephew of the executed prominent Shia cleric, Sheikh Nimr Baqir al-Nimr). They recommended Saudi Arabia to immediately halt proceedings to carry out executions of anyone who was under the age of 18 at the time of their alleged offence and explicitly prohibit death sentences, corporal punishment and life imprisonment of minors and raise the minimum age of criminal responsibility. They also recommended immediately and unconditionally releasing and pardoning all prisoners of conscience and prisoners detained on assembly, protest, and religion-related crimes, who are on death row.[34]

11. JS9 stated that Security forces used excessive force against civilians in Awamiyah in 2017, which led to the death of at least 24 civilians, violating the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. It recommended creating an independent court to investigate these allegations; prosecute the responsible members of security forces and promulgate legislation to ensure that civilians are protected and providing effective legal remedies.[35]

12. Alkarama, AI, HRW and JS4 reported that since March 2015, Saudi Arabia has been leading a military campaign against Houthi forces in Yemen. They reported on numerous Saudi-led airstrikes in which civilians have been killed and injured, and civilian homes, markets, parks, hospitals, and schools destroyed, which would amount to war crimes. They were concerned about Saudi Arabia's compliance with the principles of distinction, proportionality, and precautions in attack enshrined in international humanitarian law. They reported that the Saudi-led coalition has imposed a naval and air blockade on Yemen since March 2015 that has severely restricted the flow of food, fuel, and medicine to civilians. They recommended ending all violations of international humanitarian and human rights law, including the prohibitions on attacks that target civilians and civilian objects; conduct transparent and impartial investigations into credible allegations of violations of the laws-of-war; bring those suspected of criminal responsibility to trial; provide full reparation to victims and ensure that all humanitarian workers are granted freedom of movement.[36] HRW, AI and JS4 recommended providing remedies and effective reparations to all victims in Yemen, and immediately halt blocking aid and commercial goods from reaching

civilians and unimpeded delivery of impartial humanitarian relief for civilians in need, as well as commercial imports of essential goods.[37]

13. JS4 recommended Saudi Arabia to make all efforts to arrive at a peaceful solution to the conflict and extend full and transparent access and cooperation to the Group of Eminent International and Regional Experts on Yemen.[38]

14. JS6, AI, Alkarama and IHRC noted that torture remained rampant in prisons and detention centers and impunity for perpetrators of torture prevails, despite accepting three recommendations. They recommended defining and criminalizing torture in line with CAT and ensure that all allegations of torture are investigated and perpetrators prosecuted.[39]

15. SRW stated that arrests are in form of enforced disappearance, nightly raids and arbitrary detentions, where they are tortured and treated inhumanely. It recommended ending enforced disappearances and investigate allegations of torture and police brutality.[40]

16. CRIN, GIEACPC, HRW and Alkarama noted that the corporal punishment in the form of amputation and flogging is lawful as a sentence, including for child offenders, even for acts, which do not constitute crimes under sharia law. Flogging is mandatory for a number of offences and can be ordered at the discretion of judges.[41] MPV recommended complete moratoriums on corporal punishment, in accordance with international human rights law.[42]

17. Alkarama and AOHR noted that the practice of arbitrary detention, which is already systematic, peaked when more than 200 public figures, activists, scholars, businessmen and members of the royal family were arrested under as the pretext of "fighting corruption" and/or "protecting national security". The security forces and intelligence services carried out arrests without warrants, and without informing the reasons for their arrest. Individuals were held in prolonged custody without access to a lawyer or their family and without the opportunity to challenge the legality of their detention.[43] Alkarama recommended eradicating this practice and effectively afford individuals deprived of their liberty all fundamental legal safeguards and fair trial rights.[44] AOHR recommended referring the matter to the UN General Assembly for action to hold KSA accountable for those violations and for remedies to be provided to victims and consider suspending KSA's membership of the HRC.[45]

Administration of justice, including impunity, and the rule of law[46]

18. AI recommended KSA to continue implementing all accepted recommendations from the previous UPR concerning the reform of the judicial system to ensure its independence and impartiality and that all its practices are in line with international standards of fair trial.[47]

19. AI and JS9 reported that the new counter-terror law delegated the authority to arrest, investigate, interrogate and refer individuals to the SCC for terrorism-related crimes to the Public Prosecution and Presidency of the State Security, both of which report directly to the King. The law allowed the Public Prosecution to hold detainees without charge or trial for up to 30 consecutive days, incommunicado detention for up to 90 days during investigations, both renewable for an unspecified period by the SCC and restricts the rights of detainees to legal counsel during interrogations. It allowed the SCC to hear witnesses and to issue a verdict without the defendant nor their lawyer is present.[48]

20. JS10 stated that KSA systematically use torture and ill-treatment to extract confessions and allowing courts to readily accept statements extracted under duress.[49]

Fundamental freedoms and the right to participate in public and political life[50]

21. JS9 stated that in recent years, the Government has increased the scope of its religious discrimination, often justifying its repression as necessary in order to counter terrorism.[51] IHRC, SRW and Al-Baqee stated that KSA continued to repress and systematically discriminate non-Wahabbi ideologies, particularly Shia.[52]

22. ADF International, ECLJ and JS9 noted that by accepting UPR recommendations protecting freedom of religion or belief, KSA has taken some steps such as revoking some

of the Committee for the Promotion of Virtue and the Prevention of Vice authority. However, it failed to provide substantial reforms, despite it generally tolerated private non-Muslim religious practices, while prohibiting them publically. They reported that KSA aggressively censored expression of religious beliefs and ideas, excluded minority religious beliefs from expression, imposed severe punishments for public religious activities, forced non-Muslims to worship clandestinely and exposed those who attempt to express their religious beliefs publicly to imprisonment or flogging. "Blasphemy" is conceived as a deviation from Sunni Islam and thus may be treated as "apostasy", which is a crime punishable by death (while actual imposition is relatively rare), imprisonment, and flogging. They recommended KSA to protect and promote the right to freedom of religion or belief by incorporating the right in the Basic Law of Governance; amend or abolish all laws that discriminate on the basis of religious affiliation; and repeal all blasphemy laws, apostasy laws, and prohibitions on proselytization and public practice of non-Muslim religions.[53] MPV made similar observations and recommendations while reaffirmed that criminalization of blasphemy and apostasy are contradictory to the Quranic mandate of "no compulsion in religion" (verse 2:256).[54]

23. SRW recommended KSA to allow inclusion of Shia individuals in government, structuralizing anti-discriminatory mechanisms, reduce religious propagation outside Saudi Arabia and establishing third-party oversight to Saudi Arabian foreign anti-Shia propagation.[55]

24. Al-Baqee and SRW reported that KSA prohibited the construction of visible Shia mosques and destroyed many sites of religious significance to many Muslims.[56] SRW informed that in May 2016 Saudi authorities began the demolition of Mousawara and Awamiya, a historical neighborhood in the Eastern Province.[57] Al-Baqee was concerned that the destruction of cemeteries, shrines, and other historic sites threatens to eradicate Islamic heritage sites of significance to millions of Muslims around the world. This systematic destruction of cultural heritage violates fundamental norms of international human rights law. It recommended ending the destruction of all sites and restore the Baqee cemetery to its prior condition. It urged taking urgent action to ensure that all Muslim pilgrims are permitted to visit and pray at Islamic holy sites including the Baqee cemetery, and remove all barriers to worship by non-Wahhabi Muslims.[58]

25. AI, JS1 and JS9 noted that Saudi's Basic Law still does not provide for or protect the freedom of peaceful assembly. Peaceful gatherings of activists in public places remained outlawed. Prospective public rallies and assemblies must receive a government permit. The authorities categorically prohibit political protests or unauthorized assemblies, in particular in the country's Eastern Province. They recommended promulgating a law granting the right to peaceful assembly; ending the ban on peaceful protests and assemblies and criminalization of protests; release those detained for exercising their right and investigate the use of excessive force and extrajudicial killings against peaceful protesters and prosecute those responsible.[59]

26. Alkarama, AI, HRW, RWB, JS1, JS6 and JS11 noted that Saudi Arabia adopted a Law on Associations and Foundations to comply with the accepted 2nd UPR cycle recommendations. However, they were concerned that the government used the Law to maintain strict control over civil society and non-governmental organizations and used this open-ended restriction to categorically refuse to officially license human rights organizations. To date, KSA did not allow independent political or human rights associations to register, and responded to the growing calls for political reforms by prosecuting and imprisoning political leaders and human rights activists. They also noted that the 2007 Anti-Cybercrime law criminalized free expression through electronic devices under the guise of protecting public morality. They emphasized that these laws allowed authorities to arrest bloggers, journalists, writers, and political activists for expressing their views through peaceful means. They recommended amending the Law of Associations to remove provisions that restrict the ability of NGOs to register and operate without undue government interference and amend the 2007 Cybercrime Law and other domestic legislation limiting the peaceful exercise of the right to freedom of expression, association and peaceful assembly. They also recommended amending the 2003 Press and Publication Law, and enacting legislation guaranteeing the right to freedom of expression. They called

on KSA to immediately and unconditionally release all persons arbitrarily detained for exercising their right to freedom of expression and association; drop all charges against them; adopt a framework for the protection of journalists from persecution; ensure that journalists and writers work freely and without fear of retribution, intimidation and harassment; and ensure that the freedom of expression is safeguarded in all forms, including in the arts. They additionally recommended refraining from acts leading to the closure of CSOs or the suspension of their peaceful activities and grant all CSOs that have been arbitrarily denied licences to operate legally.[60]

27. IHRC, AI, FLD, JS1, JS2 and JS9 observed that the repression of HRDs since 2013 is part of a larger campaign to silence all forms of criticism. HRDs have been systematically subjected to summons, interrogation and prolonged detention as direct consequences to their human rights activities. Most of the country's HRDs have been brought to trial for their peaceful activism, before the SCC and handed harsh sentences, following grossly unfair trials, marked by the extensive use of the counter-terror law. For example, all 11 founding members of Saudi Civil and Political Rights Association (ACPRA), have been put on trial, charged and sentenced to prison terms followed by travel bans for their human rights activism. The authorities also ordered the organization's shutdown.[61] AI and RWB also noted the case of blogger Raif Badawi, who was sentenced to 10 years in jail and 1,000 lashes in 2015, for "insulting Islam" and creating an online forum for debate.[62] AI, Alkarama, ALQST, FLD, HRW, RWB, JS1, JS6, JS9, and JS11 noted that the 2017, counter-terror law allowed authorities to classify the work of HRDs, journalists and demonstrators as terrorists. The SCC has increasingly been used to try HRDs and activists, such as Waleed Abu al-Khair, a human rights lawyer. They recommended KSA to repeal all laws and policies that restrict their activities and rights; refrain from subjecting peaceful dissidents to reprisals under the pretext of counterterrorism and immediately and unconditionally release all HRDs and civil society members who were detained for exercising their fundamental freedoms and review their cases to prevent further harassment; and establish an independent and impartial mechanism to protect activists, in accordance with Human Rights Council resolution 27/3.[63] FLDA also recommended ensuring full respect for the Declaration on HRDs and refraining from using travel bans to punish the work of HRDs.[64]

28. RWB, JS1 and JS11 noted that KSA required all media and publications to adhere to an undefined standard of "good speech" and to the laws of the State, which explicitly prohibit the publishing of content considered by authorities to harm national security, the state's public relations, or anything that leads to internal strife.[65] RWB ranked KSA as 168 out of 180 countries in its 2017 World Press Freedom Index. It stated that 11 professional and non-professional journalists are serving prison sentence and some 15 others have been detained with no official announcement.[66] RWB and AI noted that following the decision by Saudi Arabia and other Arab states to sever ties with Qatar in 2017, Saudi authorities warned people against expressing sympathy with Qatar or criticizing government actions, leading to media office closings and resignations, as this would be considered an offence punishable under the Anti-Cyber Crime Law. They recommended to immediately ending arrests solely on the account of freedom of expression.[67]

29. ICTUR recommended KSA to introduce specific recognition and protection for the principles of freedom of assembly and association to the Basic Law to allow establishing a trade union law in compliance with ILO standards.[68]

Prohibition of all forms of slavery[69]

30. JS5 acknowledged that Saudi Arabia has taken some measures towards guaranteeing rights to migrant workers and preventing trafficking, it remained concerned that the existing framework continues to deprive migrant workers of their human rights, they face ongoing discrimination in the criminal justice system and it failed to provide legal redress to those migrants who have been victims of forced labour, trafficking and torture. It recommended strengthening domestic anti-trafficking law to incorporate mechanisms for identification of victims of human trafficking and the non-punishment principle and strengthen domestic anti-forced labour law.[70]

Right to privacy and family life[71]

31. Musawah noted that only men may divorce unilaterally and recommended Saudi Arabia to ensure that men and women have equal access to divorce rights and require both husband and wife to be present at the time of divorce and sign divorce papers.[72]

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work[73]

32. JS8 noted that workers are denied an array of fundamental rights. The few rights that do exist are not meaningfully protected. This is clear in the continued, widespread and severe discrimination, both through law and in practice, against women, minorities, and migrant workers. The Labour Code failed to provide for collective bargaining, and employer discretion in setting terms and conditions is paramount. While some workers, under limited conditions, are allowed to form worker committees, these organizations are not free from interference, nor given the liberty to organize themselves independently, and they can be dissolved by administrative authority. The limited protections that do exist rarely extend to foreign workers, and domestic workers are completely excluded from the Labour Code. These factors entrench the severe asymmetry between employer and employee, creating conditions that range from precarious to forced labour. JS8 recommended among others to increase women's access to the labour market by eliminating all restrictions employment, reforming the Labour Code to include domestic workers.[74]

Right to education[75]

33. SRW stated that it is forbidden to construct Shia educational centres. It recommended KSA to end anti-Shia educational efforts.[76]

4. Rights of specific persons or groups

Women[77]

34. AI, Musawah and JS6 observed that women and girls face discrimination in law including in the Civil Status Code, Labour Code and Nationality Act, and in practice. They noted that Saudi Arabia made some progress in advancing women's rights. Despite these ostensibly positive developments, but they failed to implement the eight accepted UPR recommendations pertaining to the system of male guardianship over women. Women face numerous restrictions on their daily actions throughout Saudi society. The government has recently taken steps towards easing guardianship restrictions, but reforms are limited, and provide no penalties for offences. The system is not only set in law, but is a set of regulations that act as de facto law. They recommended immediately abolishing this system and ensuring gender equality throughout Saudi Arabia. They also recommended implementing laws protecting women from violence and codifying a Personal Status Law that ensures equal rights.[78] Musawah urged Saudi Arabia to ensure women can enter marriage without a guardian's permission; abolish the practice of forcible annulment of marriage; criminalize forced marriage and permit Saudi men and women to marry foreigners without government interference.[79]

35. HRW noted that Saudi Arabia committed in its previous UPR to implementing the Protection from Abuse Regulation that detail enforcement and redress mechanisms for women and children facing domestic violence. It recommended promulgating anti-discrimination legislation that would prohibit discrimination against women by all public and private entities and impose penalties on those that do so and propose amendments to the Protection from Abuse Law.[80]

36. Musawah noted that Muslim men could marry up to four wives at one time with few restrictions. Musawah recommended Saudi Arabia to abolish or severely restrict the practice of polygamy, including requiring the written consent of existing wives and introduce polygamy as a ground of judicial divorce and codify provisions to ensure that a woman has recourse if the husband enters into subsequent marriages without her consent.[81]

37. Musawah reported that women do not enjoy equal rights to custody and guardianship of their children as the father has priority. Musawah recommended codifying standards for granting custody based on the best interests of the child and grant equal right to guardianship of children.[82]

38. AI, Musawah, JS3, and JS6 observed that Saudi Arabian women with foreign spouses, unlike their male counterparts, cannot pass on their nationality to their children or spouses. They recommended KSA to amend the Law to enable Saudi women to transfer nationality to their spouses.[83]

Children[84]

39. HRW noted that following its previous UPR in 2013 Saudi Arabia rejected a recommendation to "introduce a minimum marriage age of 18 years for both men and women," and at this writing no ban on child marriage has yet been passed.[85] Musawah noted that there is no legislation criminalizing forced marriages, nor is there a mechanism to sanction officers conducting them. It stated that under the Law on Child Protection, an advisory committee should examine each case individually to approve marriage to a person below 18. However, the standards to determine the minor's interests and welfare are unclear, and minors are often not interviewed. It recommended codifying and enforcing 18 years of age as an absolute minimum age of marriage for both girls and boys, and remove legal loopholes allowing exceptions to this rule. It also recommended enacting legislation criminalizing child marriage and codifying penalties for those involved in this practice.[86]

40. CRIN noted that the imprisonment appears to be lawful as a punishment for child offenders. The Government has stated that minors may not be detained in a public prison and must be placed in supervised residential institutions. The law allows judges to reduce the period of time which children spend in supervised institutions "if they memorize the Holy Koran or improve their behaviour". There is no explicit prohibition of life imprisonment for child offenders.[87]

Minorities[88]

41. AI noted that Shi'a Muslim minority, who mostly live in Saudi Arabia's Eastern Province, face entrenched discrimination that limits their access to state services and employment. Shi'a activists and religious leaders accused of supporting or taking part in demonstrations in the Eastern Province or expressing views critical of the state face arrest, imprisonment and the death penalty. In 2016, 29 members of the Shi'a community were sentenced to death for protest-related crimes. Court documents show that all defendants were held in pre-trial detention for more than two years. Most were held in solitary confinement and denied access to their families and lawyers while interrogated. Several defendants retracted their "confessions", saying they were coerced in circumstances that in some cases amount to torture. The court rejected all torture allegations without investigating the claims. AI recommended putting an end to all forms of discrimination, intimidation, harassment and detention without charge or trial of members of the Shi'a community and uphold their right to peaceful assembly.[89]

Migrants, refugees, asylum seekers and internally displaced persons[90]

42. CMA, HRW, ICTUR, JS7 and JS8 noted that Saudi Arabia does not have a comprehensive migration policy. They noted the recent efforts to improve protection for migrant workers, including the initiation of the Wages Protection System and the Philippines and Saudi Arabia Bilateral Agreement of 2015. In 2017, the Saudi government launched another 90-day amnesty program for migrant workers to return to their countries of origin. Despite these measures, migrant workers continue to experience violations of their rights. These experiences are attributed to the *kafala* sponsorship system, which requires a migrant worker to secure a No Objection Certificate from their employer in order to transfer to another employer or to leave the Kingdom. They were concerned by the mass deportation campaigns in 2017 "A Homeland With No Illegals," to drive down the numbers of migrants. They estimated that since then the authorities detained around 670,000 persons for violating its residency and labour laws. They recommended reforming the *kafala* system and to afford women migrant domestic workers the full protection of labour law and to

investigate cases of ill-treatment and abuse in detention and strengthen enforcement of laws protecting the rights of all migrant workers. They also recommended that while strengthening regulation and monitoring of Saudi recruitment agencies and cooperation with labour-sending countries, to monitor workers' working conditions, facilitate rescues and ensure recovery of unpaid wages. They called on KSA to investigate alleged abuses by employers and ensure accountability for those who commit crimes against their employees.[91]

43. JS5 was concerned that consular officials are not promptly informed of the arrest of their nationals, and are not given free access to them, thus putting foreign nationals at greater risk of receiving a death sentence and undermining their right to due process. It recommended the Kingdom to guarantee consular access immediately in consonance with Article 36 of Vienna Convention on Consular Relations.[92] ICTUR welcomed the Order No. 310 of 2013. However, it stated that domestic workers continue to face abusive employer practices, such as retention of passports, non-payment of wages, poor conditions of work, limitations to their liberty, and physical and sexual abuse. It recommended improving enforcement of legislation to protect the rights of domestic workers and provide domestic workers with full access to information, and effective legal and advisory services.[93] JS8 also recommended removing the exit visa requirement and to comply with ILO Convention 8.[94]

44. AI reported that thousands of migrant workers and foreign nationals have been forcefully returned to their countries and other states where they would be at risk of human rights violations. It recommended reforming the national labour laws to ensure that migrant workers have adequate protection against abuses by private employers and the state.[95]

45. ICTUR recommended Saudi Arabia to enable migrant workers to exercise full freedom of association and to ensure that migrant workers enjoy full protection of their civil and political and social, economic, and cultural rights.[96]

Stateless persons[97]

46. AI, HRW, Musawah, JS3 and JS6 noted that Saudi Arabia still does not allow women to transmit nationality to their children on an equal basis with men. They recommended ensuring that all necessary steps are taken to amend the Citizenship Law in accordance with international standards and to implement comprehensive safeguards against statelessness of any child who is born in Saudi Arabia.[98]

47. JS3 noted that Saudi Arabia's nationality law contains no safeguard against statelessness at birth. Saudi Arabia hosts about 250,000 Bidoons, who failed to register for nationality in the past when the nation state was formed. Bidoons are considered "illegal residents" and are not eligible for Saudi citizenship. Bidoons in Saudi Arabia are particularly marginalized and remained the poorest segment of the Saudi population. JS3 noted that no estimates of the number of Rohingya which could possibly be over half a million while Palestinians are estimated around 287,000, who are mostly excluded from naturalization procedures. Being stateless in Saudi Arabia can result in violations of rights and other services and impeded family reunification. JS3 recommended taking steps to facilitate the pathway to citizenship for stateless Bidoon and ensure that no child of these communities are born stateless and all other populations in Saudi Arabia with a refugee and migration background, such as the Palestinians and Rohingya, are ensured full access to rights and services and a secure and indefinite residency status.[99]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.
Civil society
Individual submissions:

ADF	ADF International, Geneva (Switzerland);
AI	Amnesty International, London (United Kingdom of Great Britain and Northern Ireland);
Al Baqee	Al Baqee Organization (Al Baqee), Chicago, IL (United States

	of America);
Alkarama	Alkarama Foundation, Geneva (Switzerland);
ALQST	ALQST Advocating for Human Rights, London (United Kingdom of Great Britain and Northern Ireland);
AOHR	Arab Organisation for Human Rights in the UK, London (United Kingdom of Great Britain and Northern Ireland);
CMA	Center for Migrant Advocacy, Quezon City (Philippines);
CRIN	Child Rights International Network, London (United Kingdom of Great Britain and Northern Ireland);
ECLJ	The European Centre for Law and Justice, Strasbourg, (France);
FLD	Front Line Defenders – the International Foundation for the Protection of Human Rights Defenders, Dublin (Ireland), and Brussels (Belgium);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London (United Kingdom of Great Britain and Northern Ireland);
HRW	Human Rights Watch. New York (United States of America);
ICAN	International Campaign to Abolish Nuclear Weapons (ICAN) Geneva (Switzerland);
ICTUR	The International Centre for Trade Union Rights (ICTUR), London (United Kingdom of Great Britain and Northern Ireland);
IHRC	Islamic Human Rights Commission, London (United Kingdom of Great Britain and Northern Ireland);
MPV	Muslims for Progressive Values (MPV), Los Angeles, California (United States of America);
Musawah	Musawah, the Global Movement for Equality and Justice in the Muslim Family Kuala Lumpur (Malaysia);
ODVV	Organization for Defending Victims of Violence, Tehran (Iran (Islamic Republic of));
RSF-RWB	Reporters Without Borders, Paris (France);
SRW	Shia Rights Watch, Washington D.C. (United States of America).
Joint submissions:	
JS1	**Joint submission 1 submitted by:** CIVICUS: World Alliance for Citizen Participation, Geneva (Switzerland), Americans for Democracy & Human Rights in Bahrain, Washington, DC (United States of America) and European Saudi Organization for Human Right (ESOHR), Berlin (Germany);
JS2	**Joint submission 2 submitted by:** International Service for Human Rights (ISHR), Geneva (Switzerland), Gulf Center for Human Rights, Washington, DC (United States of America); International Federation for Human Rights (FIDH), within the framework of the Observatory for the Protection of Human Rights Defenders, Paris (France); and World Organization against Torture (OMCT), within the framework of the Observatory for the Protection of Human Rights Defenders (OBS), Geneva (Switzerland); and Americans for Democracy & Human Rights in Bahrain, Washington (United States of America);
JS3	**Joint submission 3 submitted by**: Institute on Statelessness and Inclusion (ISI), Eindhoven (The Netherlands), the European Saudi Organization for Human Right (ESOHR), Berlin (Germany) and the Global Campaign for Equal Nationality Rights (GCENR), New York (United States of America);
JS4	**Joint submission 4 submitted by**: Mwatana Organization for Human Rights, Sana'a (Yemen) and Columbia Law School, Human Rights Clinic, New York (United States of America);
JS5	**Joint submission 5 submitted by:** Reprieve, London (United Kingdom) and European Saudi Organization for Human Right

	(ESOHR), Berlin (Germany);
JS6	**Joint submission 6 submitted by**: Americans for Democracy & Human Rights in Bahrain, Washington, DC (United States of America); International Federation for Human Rights (FIDH), within the framework of the Observatory for the Protection of Human Rights Defenders, Paris (France); and World Organization against Torture (OMCT), within the framework of the Observatory for the Protection of Human Rights Defenders (OBS), Geneva (Switzerland);
JS7	**Joint submission 7 submitted by:** The Global Detention Project, Geneva (Switzerland); and Migrant-Rights.org;
JS8	**Joint submission 8 submitted by:** The International Trade Union Confederation (ITUC) Brussels (Belgium);and the Arab Trade Union Confederation (ATUC), Amman (Jordan);
JS9	**Joint submission 9 submitted by:** European Saudi Organization for Human Right (ESOHR), Berlin (Germany) and Americans for Democracy & Human Rights in Bahrain, Washington, DC (United States of America);
JS10	**Joint submission 10 submitted by:** Reprieve, London (United Kingdom); Americans for Democracy & Human Rights in Bahrain, Washington, DC (United States of America) and European Saudi Organization for Human Right (ESOHR), Berlin (Germany);
JS11	**Joint submission 11 submitted by:** PEN International, London (United Kingdom); Americans for Democracy & Human Rights in Bahrain (ADHRB), Washington D.C. (United States of America); and Committee to Protect Journalists (CPJ), New York (United States of America).

[2] The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[3] For relevant recommendations, see A/HRC/25/3, paras. 138.1, 138.2, 138.3, 138.4, 138.5, 138.6, 138.7, 138.8, 138.9, 138.10, 138.11, 138.12, 138.13, 138.14, 138.15, 138.16, 138.17, 138.18, 138.19, 138.20, 138.21, 138.22, 138.23, 138.24, 138.25, 138.26, 138.32, 138.78, 138.79, 138.81, 138.82, 138.83, 138.84, 138.85, 138.86, 138.87, 138.88, 138.89, 138.90, 138.222, 138.223 and 138.224

[4] JS11, para. VII.

[5] MPV, p. 7. Alkarama, para. 4. SRW, page 3. R. FLD, page 5, JS5, pages 15 and 16, AOHR, p. 4. JS9, para. 5.2. RWB, page 4 and ICTUR, p.1, 2 and 6. See also A/HRC/25/3, recommendations, paras. 138.11 (Iraq), 138.12 (Romania) and 138.17 (Japan)-138.18 (Spain).
[6] JS9, para. 5.2. MPV, p. 7.
[7] SRW, page 3. R. FLD, page 5 and ICTUR, p.1, 2 and 6.
[8] Alkarama, para. 4. SRW, page 3. R. ODVV, page 1.
[9] Alkarama, para. 4.
[10] JS5, pages 15 and 16. ODVV, page 1 and ICTUR, p.1, 2 and 6.
[11] ICTUR, p.1, 2 and 6, JS5, pages 15 and 16. CMA, page 4 and HRW, page 7.
[12] ICTUR, p.1, 2 and 6 and JS8, p. 8.
[13] ICTUR, p.1, 2 and 6.
[14] JS8, p. 8.
[15] ODVV, page 1.
[16] HRW, page 7. JS5, pages 15 and 16 and JS5, pages 15 and 16.
[17] JS3, para. 22.
[18] ICAN, p. 1.
[19] The Special Rapporteur (SR) on extreme poverty and the SR on the promotion and protection of human rights while countering terrorism.
[20] JS1, para. 6.5, JS2, p. 4 and Alkarama, paras. 13-15 and JS6, para. 17-18. See also A/HRC/25/3, recommendations paras. 138.100 (Denmark), 138.101 (Republic of Korea), 138.102 (Austria), 138.103 (New Zealand), 138.104 (Switzerland), 138.105 (Costa Rica), 138.106 (Greece), 138.107 (Italy), 138.108 (Sweden), 138.109 (Senegal), 138.110 (Uruguay), 138.111 (United Kingdom of Great Britain and Northern Ireland). Priorities were asked for extending an open invitation to the mandates of the SR on Violence against Women, human rights defenders; the right to freedom of opinion and expression; the rights to freedom of peaceful assembly and of association, summary or arbitrary executions; torture, the rights to privacy and the WGAD and the Working Group on Discrimination against Women.
[21] For relevant recommendations, see A/HRC/25/3, paras. 138.27-138.35, 138.37-138.63-138.72-138.90, 138.91, 138.135-138.136, 138.140-138.143, 138.153, 138.156-138.157, 138.159-138.161, 138.175, 138.193, 138.211 and 138.225.
[22] ALQST, p. 2.
[23] ECLJ, para. 3 and 9.
[24] HRW, page 2-3 and Alkarama, para. 5.
[25] Alkarama, paras. 8-10.
[26] Alkarama, paras. 11 and 12.
[27] For relevant recommendations, see A/HRC/25/3, paras. 138.216-138.220.
[28] AI, page 1.
[29] JS3, paras. 6, Alkarama, paras. 7, 37-43, FLD, pages 1-5, ALQST, p. 2, JS6, paras. 9-11, JS9, paras. 4.6, 4.10, 4.13 and 5.9, JS1, paras. 3.1-3.11 and 6.2, RWB, page 2 and HRW, page3.
[30] For relevant recommendations, see A/HRC/25/3, paras. 138.118-138.130, 138.139, 138.151 and 138.[illegible].
[31] HRW, page 3, Alkarama, paras. 16-20, AI, p. 2 and 6 and JS1, paras. 2.4. JS10, pages 3, 4, 6 and 20 and [illegible] pages 4 and 165.
[32] JS10, p. 19.
[33] JS5, pages 4, 7 13 and 6.
[34] AI, p. 2, Alkarama, paras. 26-31 and 6, CRIN, 1-2 and 4-5, JS1, paras. 2.4 and JS9, paras. 4.32-4.39 and 5.10.1-2.
[35] JS9, paras. 4.18, 4.11-4.22, 5.8.3-4 and 5.7.
[36] AI, p. 4-5 and 6-7, Alkarama, para. 21, HRW, pages 1-2 and JS4, paras. 2-7 and IV.
[37] HRW, pages 1-2 and JS4, paras. 2-7 and IV and AI, p. 4-5 and 6-7.
[38] JS4, para. IV.
[39] JS6, paras. 15 and 18. AI, p. 3-4 and 6. Alkarama, paras. 22-25. IHRC, p. 5. See also A/HRC/25/3, recommendations paras. 138.7 (Czech Republic), 138.151 (France) and 138.153 (Australia).
[40] SR[illegible], paras. 12 and 13
[41] CRIN, 2-3, GIEACPC, paras 2.8-2.8, HRW, page 3 and Alkarama, paras. 16-20.
[42] MPV, p. 3 and 7.
[43] Alkarama, paras. 26-31 and AOHR, p. 1, 3-5.
[44] Alkarama, paras. 26-31.
[45] AOHR, p. 1, 3-5.
[46] For relevant recommendations, see A/HRC/25/3, paras. 138.69-138.70, 138.123, 138.130, 138.137, 138.141, 138.144-138.151, 138.153-138.156 and 138.208.
[47] AI, p. 1-2 and 5.

[48] JS9, para. 4.26 -4.31 and AI, p. 1-2 and 5.
[49] JS10, pages 3, 4, 6 and 20.
[50] For relevant recommendations, see A/HRC/25/3, paras. 138.46-138.54, 138.117, 138.154, 138.164-138.175 and 138.193.
[51] JS9, paras. 4.6, 4.10, 4.13 and 5.9.
[52] IHRC, p.7-8. SRW, paras. 10 and 11 Al Baqee, p. 2-4 and 6.
[53] ECLJ, para. 4-5, 10, 15 and 19, ADF International, paras, 3-7,10-12 and 18, JS9, paras. 2.1-4.4 and 5.3. See also A/HRC/25/3, recommendations paras. 138.47 (United States of America), paras. 138.94 (France), 138.117 (Argentina), 138.154 (Czech Republic), 138.165 (Romania) and 138.168(Canada).
[54] MPV, p. 3 and 7.
[55] SRW, p. 2-4.
[56] SRW, paras. 10 and 11 Al Baqee, p. 2-6.
[57] SRW, paras. 10 and 11.
[58] Al Baqee, p. 2-6.
[59] AI, p. 2 and 5, JS1, paras. 4.1-4.3 and 6.3 and JS9, paras. 5.4-5.6.
[60] AI, p. 1-2 and 5, Alkarama, paras. 6-7 and 32-36, RWB, page 7, HRW, pages 3-4, JS1, paras. 2.1-2.11, 5.1-5.6, 6.1 and 6.4, JS6, paras. 6 and 13, and JS11, paras. 2-5, 7-10 and para. VII.
[61] IHRC, p. 2, AI, p. 2-3 and 5, FLD, page 3 and 5-6, JS1, paras. 3.1-3.11 and 6.2, JS2, p. 4, JS9, para. 4.6 and 4.11-4.12.
[62] AI, p. 3-4 and 6. RWB, page 3.
[63] AI, p. 2 and 5, Alkarama, paras. 7, 37-43, ALQST, p. 2, FLD, pages 3 and 5-6, HRW, page 3-4, RWB, pages 2-3 and 7, JS1, paras. 3.1-3.11 and 6.2, JS2, p. 4, JS11, paras. 3.1-3.11 6 and 6.2. 6, JS6, paras. 9-11, JS9, paras. 4.6, 4.10, 4.13 and 5.9.
[64] FLD, page 3 and 5-6.
[65] RWB, page 3, JS1, paras. 5.1-5, 6 and 6.4 and JS11, paras. 2-5, 7-10 and para. VII.
[66] RWB, page 1.
[67] RWB, pages 3 and 5 and AI, p. 1-2 and 5.
[68] ICTUR, p.1, 2-4 and 6. See also A/HRC/25/3 recommendations, paras. 138.48 (State of Palestine), 138.49 (Germany), 138.51 (Lithuania), 138.53 (Czech Republic) and 138.70 (Finland).
[69] For relevant recommendations, see A/HRC/25/3, paras. 138.44, 138.72, 138.80, and 138.131-138.133.
[70] JS5, pages 6-15.
[71] For relevant recommendations, see A/HRC/25/3, paras. 138.64 and 138.99.
[72] Musawah, paras. 8-12 and 29-33.
[73] For relevant recommendations, see A/HRC/25/3, paras. 138.98, 138.176 and 138.182-138.183.
[74] JS8, p. 2, 5 and 8.
[75] For relevant recommendations, see A/HRC/25/3, paras. 138.30, 138.61, 138.65-138.67, 138.79, and 138.189-138.192.
[76] SRW, paras. 9, 10 and 14.
[77] For relevant recommendations, see A/HRC/25/3, paras. 138.31-138.32, 138.34-138.36, 138.42, 138.55-138.58, 138.64, 138.68, 138.71, 138.75, 138.92-138.93, 138.95-138.115, 138.134-138.136, 138.157, 138.162, 138.176-138.181, 138.183-138.184, 138.191 and 138.192.
[78] AI, p. 4 and 6 and Musawah, paras. 8-12. JS6, paras. 3-4 and 16. See also A/HRC/25/3, recommendations paras. 138.100 (Denmark), 138.101 (Republic of Korea), 138.102 (Austria), 138.103 (New Zealand), 138.105 (Costa Rica), 138.106 (Greece), 138.107 (Italy), 138.108 (Sweden), 138.109 (Senegal), 138.110 (Uruguay), 138.111 (United Kingdom of Great Britain and Northern Ireland).
[79] Musawah, paras. 16-18.
[80] HRW, page 5-6.
[81] Musawah, paras. 23-28.
[82] Musawah, paras. 34-38.
[83] AI, p. 4 and 6, Musawah, paras. 8-12. JS3, paras. 8-15 and 22, JS6, paras. 3-4 and 16. See also recommendations, 138.100 (Denmark), 138.101 (Republic of Korea), 138.102 (Austria), 138.103 (New Zealand), 138.105 (Costa Rica), 138.106 (Greece), 138.107 (Italy), 138.108 (Sweden), 138.109 (Senegal), 138.110 (Uruguay), 138.111 (United Kingdom of Great Britain and Northern Ireland).
[84] For relevant recommendations, see A/HRC/25/3, paras. 138.30-138.31, 138.40, 138.74, 138.115, 138.130, 138.132, 138.135, 138.138, 138.155-138.156 and 138.163.
[85] HRW, page 5.
[86] Musawah, paras. 19-22.
[87] CRIN, page 4.
[88] For relevant recommendations, see A/HRC/25/3 paras. 138.137, 137.189 and 138.193.
[89] AI, p. 4 and 6.

[90] For relevant recommendations, see A/HRC/25/3, paras. 138.31, 138.73, 138.86, 138.116, 138.194-138.215.
[91] CMA, pages 2-4, HRW, pages 6-7, ICTUR, p. 4, JS7, paras. 1-6, 8-11 and 32, JS8, p. 5.
[92] JS5, pages 6-15.
[93] ICTUR, p. 4 and 6. See also A/HRC/25/3, paras. 138.202 (Sri Lanka), and 138.214 (Philippines).
[94] JS8, p. 5.
[95] AI, p. 4 and 6.
[96] ICTUR, p.4-5 and 6. See also A/HRC/25/3, paras. 138.197 (Nigeria), and 138.215 (Viet Nam).
[97] For relevant recommendations, see A/HRC/25/3, paras. 138.162-138.163.
[98] AI, p. 4 and 6, HRW, page 5-6, Musawah, paras. 8-12, JS3, paras. 8-15 and 22 and JS6, paras. 3-4 and 16.
[99] JS3, paras. 16-20 and 22.